

27—40.67(207) Permanent program performance standards—coal preparation plants not located within the permit area of a mine. The following is incorporated by reference: 30 CFR Part 827, as in effect on July 1, 2002, except for the following:

40.67(1) Delete 30 CFR 827.1.

40.67(2) Delete 30 CFR 827.13(a) and insert the following:

(a) Persons operating or who have operated coal preparation plants after April 10, 1981, shall comply with the applicable interim or permanent program performance standards for the Iowa program.

40.67(3) Proximity shall not be the decisive factor in deciding to regulate an off-site processing plant.